

Brunus A. Muhammad  
v. Plaintiff  
D.A. Brady Faulk, et al  
Defendants

In the United States Dist. Court  
for the Western Dist. of Penna.  
Civil Action, No. 04-131 Ene  
Dist. Judge Cohill  
Dist. Magist. Baxter

Plaintiffs Objection To Magistrates  
Judges Report And Recommendation

And now, this 12th day of October 2005, comes Plaintiff  
Brunus A. Muhammad, Pro. Se.; and file this, Plaintiffs  
Objection To Magistrates Judges Report And Recommendation,  
in Opposition to The Plaintiffs Motion For Preliminary  
Restrictive Injunctive Restraining Order, against Defendants  
D.A. Brady Faulk, Esq.; and, First Assistant D.A. Robert  
Sambrook, Jr. Esq.; and Court Judicial Body (Common Pleas  
Court Judges), in the presiding over any Common Pleas Court  
matters pertaining to the Plaintiff and his Estate, and  
avert the following:

### Plaintiff Objection

1. In or around July 2003, the Plaintiff filed a motion before this Court, requesting a Preliminary Restrictive Injunction Restraining Order, be Granted against the Defendants and their respective staff and equine, and the Common Pleas Court Judges, from hearing and presiding over any matter pertaining to the Plaintiff or his Estate.
2. The Plaintiff requested this Injunction for Restraining Order to protect the Plaintiff from unwanted harassment, abuse, and retaliations due to this law suit, at Muhammad V. O.A. Bradley, Donk, et al defendant.
3. And on the basis that the Plaintiff have been indicted for the alleged situation which shut down the Erie County Common Pleas Court, March 3, 2004, reported as a mistrial.

The Requested Court Order can be Granted as in the following manner:

A Preliminary Restrictive Injunction Restraining Order, issued by this Court, And as presided by District Judge Cobell, and Chief Magistrate Foster, upon the Erie County Common Pleas Court, Clerk of Court, Office,

and the Common Pleas Court President Judge, Ma. Kelley, Ordering any and all Criminal and civil matters pertaining to the Plaintiff and his Estate be relinquished to a Outside Prosecuting Body other than the Erie County District Attorney's Office, under the direction, and supervision of the Defendants, and their Esquire.

And that all matters coming before the Common Pleas Court, for the Erie County, Pa. concerning the Plaintiff and estate, be forwarded by the Common Pleas Court Clerk of Court Office, upon the President Judge, Kelley, for the Common Pleas Court, to be assigned to a Judge outside the Erie County Common Pleas Court, to preside and resolve all matters pertaining to the Plaintiff.

#### Classification:

At no time did the Plaintiff fashion his preliminary prohibitory injunctive relief motion, requesting this Court to resolve any Criminal matter pending before the Erie County Common Pleas Court, previously pending Post Conviction Collateral Relief Act, filed June 9, 2005, and denied by trial judge Connelly, August 21, 2005.

And now the Plaintiff as of October 12, 2005, submit for filing, a motion for a New Trial, on After-Discovered Evidence, Pa. Crim. R. P. Rule 720 (C).

With this clarification upon this Court and defense counsel, Attorney, Sean McLaughlin, Jr. Esq., the Plaintiff believe it will be in the best interest of the Plaintiff's rights and equal protection under the laws of this Commonwealth, to enforce some form of injunction and restraining order to secure any and all relief mandated under Penna. law, granting the Plaintiff some freedom and justice under the petitioning and motion jurisdiction of this Commonwealth.

For these reasons the Plaintiff should be granted a Preliminary Restrictive Injunctive Restraining Order, against the Defendants jurisdictions and the Common Pleas Court Judication. We Pray!

October 12, 2005

Sincerely, submitted  
 Ramulus A. Muhammed  
 Pres. Se, Plaintiff  
 1618 Oak Street  
 Erie, Pa. 16503

Burhan A. Muhammad

V. Plaintiff

D.A. Bradley Faulk, et al

Defendants

In the United States Dist.

Court for the Western Dist.

of Penna.

Civil Action No. 04-131 Erie

Dist. Judge Cahill

Dist. Magist. Baxter

And now this 12th day of October 2005, it is hereby,  
Ordered that the Plaintiff, Preliminary Prohibitory  
Injunction Restraining Order is Granted, And  
the following injunction should be Ordered and  
forwarded upon the said named parties:

1. The Erie County Common Pleas Court Clerk of  
Court's Office, Criminal Division, and Common Pleas  
Court President, Judge Kelley, is hereby Ordered  
to Strongly Consider all motions by the Plaintiff,  
requesting the Recusal of the Prosecuting Staff of  
Erie County District Attorney Office, D.A. Bradley Faulk,  
Esq. and Robert Sambrook, Esq. from presiding  
over any and all criminal matter pertaining to the  
Plaintiff, Burhan A. Muhammad, and his Estate,  
and that the President Judge, Kelley relinquish  
said prosecuting jurisdiction to the State Prosecution  
jurisdiction for criminal relief and resolutions.

2. And that it is further Ordered upon the Common Pleas Court, President Judge, Kelley, to Honor any request by the Plaintiff, Baubus A. Muhammed, AKA: Paul Cooper, Jr., and his Estate, the recusal of a Common Pleas Court Judge, and allowing another judge from another County to preside over any and all criminal and civil proceedings, proceeding before the Common Pleas Court, by the Plaintiff Baubus A. Muhammed, and his estate. Due To Conflicts of Interests.

This Order shall stay, pending the resolution of the above caption case.

J.

Faruk A. Muhammad

Plaintiff

v.

Civil Action No. 04-131 Erie

O.A. Bead Faulk, et al

Dist. Judge Colwell

Defendant

Chief Dist. Magist. Boster

### Certificate of Service

I, Faruk A. Muhammad, the No. 1, Plaintiff, hereby certify, that a true and correct copy of the Plaintiff's Motion In Objection to Magistrate Judge Report And Recommendation have been served upon all parties indicated below, in accordance to the Rules of Court.

First Class Mail:

Matthew J. McLaughlin

246 West 10th Street

Erie, Pa. 16501

Counsel for The Defendants

Federal Clerk Of Court

Federal Courthouse

Chief Dist. Magist. Judge

Susan P. Boster

17 South Park Row

Erie, Pa. 16501